

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD FORTENBERRY,

Case No. 22-12367

Plaintiff,

F. Kay Behm

v.

United States District Judge

TAMARA KELLEY, *et al.*,

Kimberly G. Altman

United States Magistrate Judge

Defendants.

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**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE'S JULY 20, 2023
REPORT AND RECOMMENDATION (ECF No. 22)**

Currently before the Court is Magistrate Judge Kimberly G. Altman's July 20, 2023 Report and Recommendation. (ECF No. 22). Magistrate Judge Altman recommends the dismissal of defendants Lamb, Miller, Anderson, Fritz, Jones, Webb, Baldwin, and Leslie, after screening of the amended complaint, for failure to state a claim. *Id.* The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's recommended disposition.

Therefore, the court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 22) and **DISMISSES** defendants Lamb, Miller, Anderson, Fritz, Jones, Webb, Baldwin, and Leslie as defendants from this action.

SO ORDERED.

Date: September 8, 2023

s/F. Kay Behm

F. Kay Behm

United States District Judge